

FORM PTO-139C (Modified) • U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE  
(REV. 07-2004)

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

MORRISS

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/517681

INTERNATIONAL APPLICATION NO.

PCT/AU03/00745

INTERNATIONAL FILING DATE

13 June 2003 (13.06.03)

PRIORITY DATE CLAIMED

13 June 2002 (13.06.02)

TITLE OF INVENTION

METHOD AND APPARATUS FOR EXTRACTING TONER FROM TONER CARTRIDGES

APPLICANT(S) FOR DO/EO/US

MORRISS, Stephen; BADMAN, Graham; BADMAN, Jim

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). **See Published Application**
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210). **See Published Application**

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV417055826US
23. ☒ Other items or information:

Copy of PCT Publication No.: WO 03/106938 A1 with (1) International Search Report, and DECLARATION: INVENTORSHIP (2 sheets)

ATTORNEY'S DOCKET NUMBER

**MORRISS**

**CALCULATIONS** PTO USE ONLY

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :**

- |  |                  |
|--|------------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . | <b>\$1110.00</b> |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .   | <b>\$950.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .  | <b>\$790.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$750.00</b>  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$100.00</b>  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$1,110.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

**\$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	33 - 20 =	13	x \$18.00
Independent claims	4 - 3 =	1	x \$88.00

**\$234.00**

**\$88.00**

**Multiple Dependent Claims (check if applicable).**

**\$0.00**

**TOTAL OF ABOVE CALCULATIONS =**

**\$1,432.00**

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$0.00**

**SUBTOTAL =**

**\$1,432.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**\$0.00**

**TOTAL NATIONAL FEE** =

**\$1,432.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).

**\$40.00**

**TOTAL FEES ENCLOSED** =

**\$1,472.00**

Amount to be: refunded	\$
charged	\$

- a. ☐ A check in the amount of \$1,472.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 10-0435
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

**CONARD, Richard D.**  
**BARNES & THORNBURG LLP**  
11 South Meridian Street  
Indianapolis, IN 46204  
US

**Customer No. 23643**

Mustard Mustard  
SIGNATURE

**Richard D. CONARD**

NAME \_\_\_\_\_

27321

REGISTRATION NUMBER

December 2004

DATE \_\_\_\_\_

## IN THE UNITED STATES PATENT OFFICE

<i>Earliest Priority Date:</i>	13 June 2002 (13.06.02)	}
		}
		}
<i>International Serial No.:</i>	PCT/AU03/00745	}
		}
		}
<i>U.S. Serial No.:</i>	Unknown	}
		}
		}
<i>Invention:</i>	METHOD AND APPARATUS FOR EXTRACTING TONER FROM TONER CARTRIDGES	}
		}
		}
<i>Applicant:</i>	MORRISS, Stephen; BADMAN, Graham; BADMAN, Jim	}
		}
		}
<i>International Filing Date:</i>	13 June 2003 (13.06.03)	}
		}
		}
<i>Attorney Docket:</i>	MORRISS	}
		}

**CERTIFICATE UNDER 37 C.F.R. § 1.10**

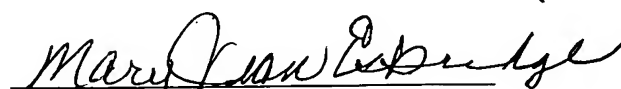
MAIL STOP PCT  
Attention: DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

Express Mail" Mailing Label No.: EV417055826US

Date of Deposit: /10 December 2004 (10.12.04)

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

  
Mary Jean Eskridge

Indianapolis, Indiana  
(317) 231-7303

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

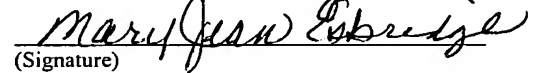
## IN THE UNITED STATES PATENT OFFICE

*Earliest Priority Date:* 13 June 2002 (13.06.02)*International Serial No.:* PCT/AU03/00745*U.S. Serial No.:* Unknown*Invention:* METHOD AND APPARATUS FOR  
EXTRACTING TONER FROM  
TONER CARTRIDGES*Applicant:* MORRISS, Stephen; BADMAN,  
Graham; BADMAN, Jim*International Filing Date:* 13 June 2003 (13.06.03)*Attorney Docket:* MORRISSCertificate Under 37 CFR 1.10

Express Mail No.: EV417055826US

Date of Mailing: 10 December 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
(Signature)Mary Jean Eskridge

(Typed or Printed Name of Person Mailing Paper or Fee)

## SUBMISSION OF FORMAL DRAWINGS

MAIL STOP PCT  
Attention: DO/EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Sir:

Attached are five (5) sheets of formal drawings for the above-identified national application. These formal drawings, which replace any other drawings previously filed with this application, are the drawings that should be examined and printed with the issued patent.

Respectfully submitted,

Richard D. CONARD  
Atty. Reg. No. 27321  
Attorney for ApplicantsRDC/mje/695494v1  
Indianapolis, Indiana  
(317) 231-7285  
Attachments: Five Sheets of Drawings